

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2692 of 2020

Arising Out of PS. Case No.-75 Year-2019 Thana- PAHARKATTA District- Kishanganj

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Dildar Hussain Son of Late Anwarul Haque Resident of Village - Panasi, P.S.-
Paharkatta, Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 24-08-2020 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Paharkatta P.S. Case No. 75 of 2019, registered for the offence under Section 302/34 of the Indian Penal Code.

The prosecution case, in brief, is that informant's daughter (deceased) was married with petitioner 11 years ago. It is alleged that after the marriage, all the FIR named accused persons including the petitioner tortured informant's daughter physically and mentally. It is further alleged that on 28-10-2019, the informant got information that all the accused persons have committed murder to her daughter by hanging.

It is submitted on behalf of petitioner that petitioner has committed no offence and entire allegations made in the FIR are false and concocted. In fact, as per *post-mortem* report, the



deceased died due to Asphyxia as a result of hanging. It is further submitted that after investigation, the police has submitted chargesheet on 22-01-2020 under Sections 306, 34 of the Indian Penal Code. The petitioner is in custody since 29-10-2019, having no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Paharkatta P.S. Case No. 75 of 2019 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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